

ELLIS LAW HORNE

John J. Pringle, Jr.
Direct dial: 803/343-1270
jpringle@ellislawhorne.com

March 16, 2006

VIA ELECTRONIC AND FIRST-CLASS MAIL SERVICE

The Honorable Charles L.A. Terreni
Chief Clerk
South Carolina Public Service Commission
101 Executive Center Dr., Suite 100
Columbia, SC 29210

RE: Application of TQC Communications Corp. for a Certificate of Public Convenience and Necessity to Provide Interexchange Telecommunications Services and for Alternative Regulation First Approved in Docket No. 95-661, as Modified in Docket No. 2000-407-C
Docket No. 2006-38-C, Our File No. 1120-10341

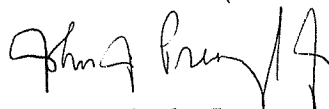
Dear Mr. Terreni:

Enclosed is the original and twenty-five (25) copies of the **Testimony of Buddy Pack** filed on behalf of TQC Communications Corp. in the above-referenced docket.

JJP Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,



John J. Pringle, Jr.

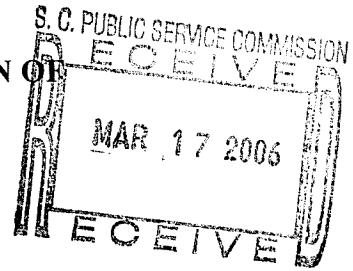
JJP/cr

cc: Jeffrey M. Nelson, Esquire [via first-class mail service]
Mr. Buddy Pack [via first-class mail service]

Enclosures

RETURN DATE: *OK D. Duke*
SERVICE: *OK D. Duke*

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-38-C



IN RE:

Application of TQC Communications)
Corp. for a Certificate of Public)
Convenience and Necessity to Authorize)
it to Provide Interexchange)
Telecommunications Services and for)
Alternative Regulation First Approved in)
Docket No. 95-661 as Modified in)
Docket 2000-407-C)

TESTIMONY OF BUDDY PACK

1 **Q. Will you please state your name and business address.**

2 A. My name is Buddy Pack. My business address is 3000 Immokalee Road, Suite 1, Naples
3 FL 34110.

4

5 **Q. By whom are you employed and in what capacity?**

6 A. I am a consultant for TQC Communications Corp. ("TQC").

7

8 **Q. Please describe your duties for the company.**

9 A. As consultant for TQC, I am in charge of coordinating all technical, administrative,
10 financial and regulatory issues relating to new and/or existing services of TQC.

11

1 **Q. Please give a brief description of your background and experience.**

2 A. I have been with TQC for over 15 years, working in management, sales, operations,
3 customer relations, and technical support. Prior to joining TQC, I was a general
4 contractor and developer.

5

6 **Q. What is the purpose of your testimony?**

7 A. The purpose of my testimony is to present evidence describing the technical, managerial
8 and financial fitness of TQC to provide resold interexchange telecommunications services
9 in South Carolina. This testimony will also describe the services proposed by TQC and
10 the proposed tariff structure. Finally, the purpose of my testimony is to show that the
11 public interest will be served by approval of the application of TQC for a certificate of
12 public convenience and necessity.

13

14 **Q. Would you like to incorporate by reference any documents into your testimony?**

15 A. Yes. I would like to incorporate by reference the Company's application and exhibits
16 previously filed with this Commission.

17

18 **Q. Has TQC registered to do business in South Carolina?**

19 A. Yes. TQC received foreign corporation authority on January 10, 2006. This document
20 was attached to the Application as Exhibit 2.

21

22 **Q. Please explain the Company's corporate and ownership structure.**

1 A. TQC is a corporation organized and existing under the laws of the State of Florida,
2 organized on October 25, 1994 under the name Telquest Communications, Corp. The
3 Articles of Amendment were filed on April 4, 2003, changing the name of the corporation
4 to TQC Communications Corp. These documents were attached to the Application as
5 Exhibit 1.

6
7 **Q. Please describe the services TQC proposes to offer.**

8 A. TQC intends to offer inbound and outbound telecommunications services to residential
9 and business customers, utilizing switched and dedicated access, throughout the State of
10 South Carolina. Resold telecommunications services offered by TQC include
11 presubscribed and casual calling service, toll-free inbound service, travel card service,
12 and operator-assisted services.

13
14 **Q. Which carrier or carriers serve as your underlying carrier?**

15 A. TQC resells the interexchange services of MCI .

16
17 **Q. Do any other carriers provide TQC with service?**

18 A. Not at this time. TQC will employ the services of only those carriers properly certified or
19 authorized by this Commission.

20
21 **Q. How will TQC bill for its services?**

22 A. TQC bills its customers directly.

1 **Q. How are trouble reports, billing errors and complaints handled?**

2 A. TQC utilizes a nationwide toll-free number of 1-800-643-4616 for customer service.
3 Customers may call that number Monday through Friday, 8 AM to 5 PM Eastern
4 Standard Time.

5
6 **Q: Are you familiar with the tariff submitted as Exhibit 5 to the Application?**

7 A: Yes.

8
9 **Q: Was the tariff prepared under your supervision?**

10 A: Yes. It was prepared under my supervision.

11
12 **Q. Describe the proposed TQC South Carolina tariff.**

13 A. TQC has included a proposed interexchange tariff which contains the rules, regulations
14 and rates for TQC's interexchange services. I believe that TQC's tariff will comport with
15 all Orders, Rules and Regulations of the Commission, and TQC will make all changes
16 suggested by the ORS necessary to comply with all such applicable authority. Should the
17 Application be granted, TQC plans to commence offering services immediately.

18
19 **Q. What regulatory treatment is TQC seeking in this application?**

20 A. TQC requests that all of its business service offerings be regulated pursuant to the
21 procedures described and set out in Commission Order Nos. 95-1734 and 96-55 in
22 Docket No. 95-661-C, as modified by Commission Order No. 2001-997 in Docket No.

1 2000-407-C. It is Applicant's intent by this request to have its business services regulated
2 in the same manner as this Commission has permitted for AT&T Communications of the
3 Southern States, Inc. ("AT&T"). Specifically, Applicant requests that the Commission:
4 (a) remove the maximum rate tariff requirements for its business services, consumer card,
5 operator service,¹ private line, and customer network-type offerings; b) presume that the
6 tariff filings for these uncapped services be valid upon filing. However, if the
7 Commission institutes an investigation of a particular filing within seven (7) days, the
8 tariff filing would be suspended until further order of the Commission; and c) grant
9 Applicant the same treatment as AT&T in connection with any future relaxation of the
10 Commission's reporting requirements.

11
12 **Q. Is TQC currently certified to provide intrastate resale services of the type described**
13 **herein in any other states?**

14 A. TQC has received authority to provide telecommunications services in the following
15 states: Florida, Tennessee, Georgia, and Michigan. TQC has an application seeking
16 intrastate long distance authority pending in South Carolina. TQC has not been denied
17 certification in any state.

18
19 **Q. Describe TQC's financial ability to operate as a telecommunications reseller.**

20 A. TQC has submitted its latest financial statements to show it has the financial resources to
21 operate successfully as a telecommunications reseller to consumers in South Carolina as

¹ Excepting those operator-assisted calls where a consumer uses a local exchange carrier's calling card to complete calls from locations which have not selected the local exchange carrier as their toll provider. Operator surcharges and per-minute rates for this type of call were capped by

1 Exhibit 4 to its Application. As set forth therein, TQC has sufficient revenue and cash
2 resources to support expansion of its operations.
3

4 **Q. Do you believe TQC is capable of delivering its proposed services in South**
5 **Carolina?**

6 A. Yes, in addition to having sufficient financial resources, TQC has a team of competent
7 and experienced personnel. Brief professional biographies of TQC's management team
8 were included as Exhibit 3 to the Company's application. Through its close relationships
9 to its underlying carriers, TQC also has access to the technical personnel necessary to
10 provide successful and continuous telecommunications services in South Carolina.
11

12 **Q. Where in South Carolina does TQC intend to offer its services and how will those**
13 **services be offered?**

14 A. Services will be offered to business and residential customers statewide.
15

16 **Q. Will TQC provide intraLATA services?**

17 A. Yes.
18

19 **Q. Does TQC provide conventional or alternative operator services?**

20 A. Yes. Rates for these services are included in TQC's proposed tariff.
21

1 **Q: Does the Company have offices in South Carolina?**

2 A: No. The Company does not intend to have offices in South Carolina. Accordingly, TQC
3 requests, pursuant to Commission Rule 103-610, that the Commission authorize the
4 Company to keep its books and records at its offices in Florida. TQC will have a registered
5 agent in South Carolina and will bear any costs associated with inspection of its books and
6 records by the Commission or the South Carolina Office of Regulatory Staff (“ORS”).

7
8 **Q: Does the Company use the Uniform System of Accounts (“USOA”) to maintain its**
9 **financial books and records?**

10 A: No. Accordingly, the Company requests a waiver of Commission Rule 103-611 to the extent
11 that rule requires the use of the USOA, and requests permission to use Generally Accepted
12 Accounting Principles (“GAAP”).

13
14 **Q: Should the Company be required to file an Operating Area Map with the Commission?**

15 A: No. Because the Company intends to offer its services throughout the geographic service
16 areas of the incumbent local exchange carriers in the State of South Carolina, the Company
17 requests that the Commission forbear from requiring the Company to “file with this
18 Commission a map or maps showing its certificated area and/or exchange service area(s).”

19
20 **Q: Does the Company intend to publish telephone directories?**

21 A: No. The Company’s customers will be included in existing directories, pursuant to their
22 agreements with their local exchange carriers. Accordingly, the Company requests that the

1 Commission grant a waiver of Commission Rule 103-631.

2
3 **Q. Will the Company comply with all applicable statutory and regulatory requirements**
4 **of the State of South Carolina and this Commission?**

5 A: Yes.

6
7 **Q. Will the Company file all applicable reports as required by the Commission?**

8 A: Yes. The Company is aware of the Commission's requirements that all
9 telecommunications carriers file a report on South Carolina operations, a gross receipts
10 report, and a universal service contribution report on an annual basis.

11
12 **Q. How will South Carolina consumers benefit from TQC's services?**

13 A. TQC's proposed service will provide alternative services of the highest quality, will
14 provide increased consumer choice in billing options, and will offer increased
15 diversification and increased reliability of communications services. Our service
16 offerings will enhance competition for telecommunications services in this state because
17 the addition of another supplier of telephone service will increase competition in terms of
18 price and quality of service for the business of telephone service consumers.

19
20 **Q. Does this conclude your testimony?**

21 A. Yes it does.